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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,433	12/14/2001	Masaki Yamamoto	9281-4234	6301
7590	06/17/2004		EXAMINER	
Brinks Hofer Gilson & Lione			DESIR, JEAN WICEL	
P.O. Box 10395			ART UNIT	PAPER NUMBER
Chicago, IL 60610			2614	5
DATE MAILED: 06/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,433	YAMAMOTO, MASAKI	
	Examiner	Art Unit	
	Jean W. Désir	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-9 is/are allowed.
- 6) Claim(s) 10-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-4</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the PRIOR ART Fig. 3 discussed in the BACKGROUND OF THE INVENTION.

Claim 10:

The PRIOR ART Fig. 3 discloses:

A television tuner (Fig. 3) comprising:

a switch (36) configured to supply different voltages;

an input tuning circuit (33) coupled to an input terminal (31), the input tuning circuit having a first inductance (33a-33d) and a first circuit element (33f) that alters a value of the first inductance in accordance with the voltage supplied (B) from the switch (36);

an amplifier (38) supplied with an output of the input tuning circuit (33); and

an interstage tuning circuit (39) supplied with an output of the amplifier (38), the interstage tuning circuit (39) having a second inductance (39a, 39b, 39d, 39e) and a second circuit element (39i, 39k) that alters a value of the second inductance in accordance with the voltage supplied (B) from the switch (36);

the difference between the claimed invention and the PRIOR ART is that the PRIOR ART does not explicitly say that the switch (36) is a semiconductor switch. However, it is notoriously well known in the art to use semiconductor devices to perform switching at the time of the invention. Accordingly, it would have been clearly obvious to one of ordinary skill in the art to implement the reference accordingly – that is with semiconductor devices – because such devices are readily available to the designer. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claim 11:

The television tuner (Fig. 3) according to claim 10, each of the first and second inductances comprising inductors(33a-33d, 39a, 39b, 39d, 39e), the first and second inductances being altered by the first (33f) and second circuit elements (39i, 39k) by effectively bypassing at least one inductor in each of the first and second inductances.

Claim 12:

wherein the semiconductor switch comprises a bipolar junction transistor is obvious to an artisan for the reasons discussed in the rejection of claim 10; and the first and second circuit elements each comprise a semiconductor diode (33f, 39i, 39k).

Claim 13: wherein the semiconductor switch is contained within an integrated circuit is also obvious to an artisan, because semiconductor switching devices are notoriously well-known devices used in designing/building integrated circuit (IC) chips.

Allowable Subject Matter

3. Claims 1-9 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (703) 308 9571. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305 4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MICHAEL N. LEE
PRIMARY EXAMINER

JWD
Jun. 9, 04